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1. A method for detecting a nucleic acid, the method comprising:

contacting a first nucleic acid to a second nucleic acid, which second nucleic acid comprises a neutral or positively charged fluorescent label when hybridized to the first nucleic acid; and,

detecting fluorescence polarization of the resulting mixture of first and second nucleic acids.

25. A method of identifying the presence of a subsequence of nucleotides in a target nucleic acid, the method comprising:

contacting the target nucleic acid sequence with a labeled nucleic acid probe, which labeled nucleic acid probe comprises a neutral or positively charged label comprising a fluorophore to form a first reaction mixture; and,

detecting the level of fluorescence polarization of the first reaction mixture, wherein the probe comprises the labeled fluorophore when hybridized to the target nucleic acid.

These amendments are made without prejudice and are not to be construed as abandonment of the previously claimed subject matter or agreement with any objection or rejection of record. In accordance with the requirements of 37 C.F.R. § 1.121, a marked up version showing the changes to the claims is attached herewith as Appendix A. For the Examiner's convenience, a copy of the currently pending claims is also submitted herewith as Appendix B.

#### REMARKS

The above amendment is provided to clarify the claims and to place the claims in condition for allowance, as discussed with the Examiner. Support for the amendments is found throughout the application.